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September 26, 2006

VIA HAND DELIVERY

City of Las Vegas
Planning & Development Dept.
731 So. Fourth Street
Las Vegas, NV 89101

**RE: Justification Letter
Site Development Review & Parking Variance
APN 126-24-610-004**

To Whom It May Concern:

Please be advised our office represents the applicant in the above-referenced matter. The property is located at the northwest corner of Deer Springs Way and Hualapai Way, more specifically known as assessor's parcel number 126-24-610-004 ("Site").

The Site is approximately five (5) acres in size and is located within the Cliff's Edge Providence Master Planned Community. The applicant has an approved apartment development ("Phase I") adjacent to the Site and intends to add the Site into that development as Phase II of the development. The Cliff's Edge Design Review Committee ("DRC") has approved the Phase II development with a minor reduction in parking for the overall development. See DRC Approval Letter and Analysis attached hereto as Exhibit A.

A. Site Development Review

The Site that will be incorporated into the applicant's approved Phase I development will consist of one hundred twenty-four (124) apartment units with a density of 24.9 units per acres. There will be thirty-six (36) one bedroom units, seventy-six (76) two bedroom units and twelve (12) three bedroom units on the Site. There will be access to the Site from Hualapai Way and internal driveway cross access to Phase I. There will be excess open space on the Site with a pool and a recreation area. The required open space is 12,400 square feet and the applicant is providing 32,352 square feet of open space. The applicant meets the parking on the Site with two hundred thirty-eight (238) parking spaces on the Site where two hundred twenty-seven (227) parking spaces are



required. However, when the Site is incorporated into Phase I, a slight parking variance for the overall development is necessary.

B. Parking Variance (slightly over 1 %)

Although the approved Phase I development complied with the City's parking requirements as a stand alone development, and the proposed Phase II development complies with the City's parking requirements as a stand alone development, the overall project requires a minor parking variance of just over 1%. There will be five hundred sixteen (516) apartments with Phase I and Phase II combined. The overall development will require nine hundred thirty-seven (937) parking spaces, and the applicant is providing nine hundred twenty-six (926) parking spaces overall. This is a parking reduction of slightly over 1%. The reason for the slight reduction in overall parking is a result of the driveway configurations on the new Site to allow appropriate internal access between Phase I and Phase II. The Cliff's Edge DRC approved the variance because it was so slight and because both Phase I and Phase II meet the parking requirements as stand alone developments.

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your time and consideration.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO



Stephanie H. Allen

VAR-17127
12/21/06 PC



PROVIDENCE

Master Planned Community

3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 568-2044

September 13, 2006

Kevin Reis
Picerne
4880 West University Avenue
Suite B6
Las Vegas, NV 89103

**RE: Cliff's Edge Master Plan Community
Parking Requirement Variance Request
POD: 125a - Phase II Additional 5 Acres**

Dear Kevin,

The Cliff's Edge Design Review Committee (DRC) is in receipt of the Picerne letter dated August 24, 2006 requesting to provide 926 spaces for 516 apartment units where a total of 937 spaces are required.

Upon review of your request and the attached tentative map table review dated August 24, 2006 this deviation has been found to be just slightly over 1% therefore the DRC **"approves with conditions"** your request subject to the following:

- Final review and approval by the City of Las Vegas.
- A copy of the approved CLV Tentative Map should be submitted to the Providence DRC.

Any other deviations must be submitted to the DRC for review and approval prior to submitting to the City. Due to the location of your community within the Providence Master Plan, the DRC suggests your perimeter walls and landscape be in accordance with Providence design standards to provide seamless blending with the adjacent communities. As a courtesy, the DRC is willing to perform a review of your perimeter walls and landscape designs at no cost in an effort to provide continued design flow throughout the community.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

CLIFF'S EDGE, LLC

Carmen Shukis
Design Review Manager

cc via email: Don Richards, Heather Motogawa, Amber Abel - Focus
Mo Seebeck, Dave Browning - Landtek

Enclosures: (Picerne request letter dated 08/24/06, Tentative Map table review dated 08/24/06 and Landtek Tentative Map review dated 08/24/06)

12/21/06 PC

VAR-17127

EXHIBIT A



PROVIDENCE

Master Planned Community

3455 Cliff Shadows Parkway, Suite 220, Las Vegas, Nevada 89129
(702) 242-4949 ~ FAX: 568-2044

August 24, 2006

Kevin Reis
Picerne
4880 West University Avenue
Suite B6
Las Vegas, NV 89103

RE: Project Plan Tentative Map Review for Providence POD 125a Picerne Phase II Multi-Family (Phase II: additional 5 acres)

Dear Kevin,

The Providence Design Review Committee (DRC) is in receipt of the Project Plan Tentative Map submittal. This submittal has been reviewed against Section 3.2.1 (Medium Density Residential – Up to 25 Du/Ac) of the Design Guidelines based on the approved use and density of Pod 125A.

Standards	Required	Provided	Compliance
Building Setbacks			
Principal Buildings and Accessory Structures from Adjacent Parcel PL:			
• Single Story Structures	10'	N/A	N/A
• Two Story Structures	20'	20' min	Yes
• Three Story Structures	30'	30' min	Yes
• Four Story Structures	40'	N/A	N/A
Principal Buildings and Accessory Structures Adjacent to Street R.O.W. at Parcel Perimeter:			
• Single Story Structures	10'	N/A	N/A
• Two Story Structures	20'	92.5'	Yes
• Three Story Structures	25'	92.5'	Yes
• Four Story Structures	30'	N/A	N/A
Principal Buildings and Accessory Structures Adjacent to Parks, Open Space, Landscape Areas Adjacent to Perimeter Streets, or Paseo PL:			
• Single Story Structures	10'	N/A	N/A
• Two Story Structures	10'	10'	Yes
• Three Story Structures	10'	10'	Yes
• Four Story Structures	10'	N/A	N/A
Living Area or Porch from Private	10'	VAR-17127	Yes

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PROVIDENCE

August 24, 2006
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Street or Parking		10'	
Garage Face Setback from Private Street	Less than 5' or 18'+	<5'	Yes
Building Separation			
Balcony to Balcony	30'	30'	Yes
Balcony to Non-Balcony	20'	20'	Yes
Non-Balcony to Non-Balcony	15'	15'	Yes
Between Main Building and Accessory Structure	10'	10'	Yes
Maximum Building Height <ul style="list-style-type: none"> Principal Buildings and Accessory Structures 	50' Subject to setback criteria above	Per Phase 1	Yes
Minimum Open Space <ul style="list-style-type: none"> Common Open Space⁽¹⁾ 	100 Sq. Ft. / Unit	261 Sq. Ft./Unit	Yes
Parking: Minimum No. of Spaces Required			
Studio or 1 bedroom units	1.25/Unit	1.25/Unit	Yes*
Two bedroom units	1.75/Unit	1.75/Unit	Yes*
Units with more than 2 bedrooms	2/Unit	2/Unit	Yes*
Visitor Parking	0.2/Unit	0.2/Unit	Yes*
Senior Housing	1 covered or enclosed space/Unit	N/A	N/A
<p>1. The minimum square footage of the recreation area is 10,000 Sq. Ft. Additional recreation area, when required, may be combined with the main recreation area, or may be utilized as a separate satellite recreation area with a minimum square footage of 4,000 Sq. Ft. The balance of any cumulative recreation requirement exceeding 14,000 Sq. Ft. may be devoted to common open space distributed throughout the project as the builder desires. The minimum width of a common open space area shall be 20'.</p>			

* Phase II of this development, as submitted and reviewed herein, has adequate parking. However, it is our understanding that the development as a whole, Phases I and II combined, falls short of the overall parking requirements by 11 spaces. This is a less than 1% deviation. The Providence DRC conditionally approves this deviation subject to the approval of the City of Las Vegas.

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MEMORANDUM

DATE: August 24, 2006
TO: Carmen Shukis, Design Review Manager
FROM: Don Rodriguez
CC: DAVE BROWNING
RE: Providence - Picerne Pod 125a Phase II Tentative Map, 2nd Submittal

Upon our review of the revised Tentative Map (SDR) for Picerne Pod 125a, Phase II, at Providence, we recommend "*Conditional Approval*" of the plan subject to the approval of the City of Las Vegas.

The builder's Tentative Map (SDR) should be remitted to the Providence DRC once approved by the City of Las Vegas.

Should you have any questions, please feel free to contact me.

Thank you.

Don Rodriguez, APM
Providence

**12/21/06 PC
VAR-17127**

August 24, 2006

Design Review Committee
Cliff's Edge, LLC
C/O LANDTEK, LLC
3455 Cliff Shadows Parkway, Suite 290
Las Vegas, NV 89129

Subject: Picerne at Providence Apartments- variance for parking requirements

To whom it may concern:

The combining of phase I and phase II has created a shortage of 11 parking spaces overall, per City of Las Vegas standards. The project is 516 apartment units. The parking required is 937 spaces, and the parking provided is 926 spaces, which is a deficit of just slightly over 1%.

Picerne has been actively developing and managing apartments in the Las Vegas market for the last 20 years and we are very comfortable with both the parking count and parking distribution for the project.

Please consider the above information in providing us with an approval for the project.

Sincerely,

Kevin Reis
Vice President

**12/21/06 PC
VAR-17127**